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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,943	03/30/2004	Fabrizio Nobili	700144.403	2918

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EXAMINER

MCGRAW, TREVOR EDWIN

ART UNIT PAPER NUMBER

3752

DATE MAILED: 12/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/811,943

Applicant(s)

NOBILI, FABRIZIO

Examiner

Trevor McGraw

Art Unit

3752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/15/06, 11/27/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Objection to Drawings

Examiner withdraws the objection held against the drawings under 37 CFR 1.83(a) in view of Applicant's amended Figures 1 and 2 detailing the locations of reference number "2" and "T". However, Applicant has still failed to show where the S-Shaped Pipe is located as described in the specification.

Objection to Specification

Examiner withdraws the objection to the specification in view of Applicant's amendment changing "2a e 3a" to read as "2a and 3a" in line 7 of Page 7.

Rejection under 35 USC § 112

Examiner withdraws the rejection against Claims 1-13 held under 35 U.S.C. § 112 in view of Applicant's amendment and canceled Claims 5 and 12.

Objection to Claims

Examiner withdraws the objection held against Claims 10, 11 and 13 in view of Applicant's amendment that deletes the word "centring" and provides better Claim language and corrects the spelling of the word "molded".

Response to Arguments

Upon further consideration, a new ground(s) of rejection is made in observation of Bovaird et al. (US 6,093,313) in view of Burchard et al. (US 5,858,215) and further in view of Reichenberger (US 4,162,028).

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the "S-Shaped Pipe" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

Art Unit: 3752

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Bovaird et al. (US 6,093,313).

In regard to Claims 1-3, Bovaird et al. teaches a water delivery system comprising a showerhead with two delivery points (24, 26) (Figure 2) where at least one of has an on-off valve (64, 54) and at least one supply pipe (90) that carries untreated water where the showerhead (Figure 2) has two separate conduits (42,90) with a coupling at the base of the handle where the two showerhead delivery points are distinct and one of the two conduits (42,90) delivering treated water is cut-off by a valve (64,54) normally kept in a closed position and which may be operated manually (See column 3 lines 4-66) where the valve has a longitudinal translatable stem (54) and is provided with a shutter (66) where the stem protrudes outward from the conduit with an operating button arranged so that the shutter is pushed in a closed position by the pressure of the water in the conduit

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bovaird et al. (US 6,093,313) in view of Burchard et al. (US 5,858,215) and further in view of Reichenberger (US 4,162,028).

In regard to Claims 1-4, 6-11 and 13, Bovaird et al. (6,093,313) at disclosed and taught above fails to teach where two conduits are integrally made at least one is partly inside of the other where the two conduits are further encased within an outer flexible casing and the first and second connection body are coupled to the showerhead where the first connection body has a flange from which a hollow cylindrical element of a smaller diameter but of a greater length where the cylindrical elements are arranged to fit an end of the flexible supply pipes with an alignment feature to ensure univocal angular coupling with the showerhead coupling where the connection body is integrally molded. Bovaird et al. further fails to teach where the flexible conduit pipes are encased with a flexible tube. On the other hand, Burchard et al. (US 5,858,215) teaches that it is old and well known in the art to have at least two connection bodies (300, 302, 304) that is coupled to a showerhead where the first connection body has a at least one flange (Figures 55, 56, 57, 58 (332)) from which a hollow cylindrical

Art Unit: 3752

element of a smaller diameter but of greater length extends (Figures 1 and 2) where the cylindrical elements are arranged to fit an end of the flexible supply pipes with an alignment feature to ensure univocal angular coupling with the showerhead where the connection body (300) is integrally molded.

Furthermore, Reichenberger (US 4,162,028) teaches that it is old and well known in the art to encase a plurality of flexible tubes with a flexible casing. It would have been obvious to one having ordinary skill in the art at the time the present invention was made to provide the connection bodies as taught by Burchard et al. to the showerhead of Bovaird et al. so as to provide a means known in the art for connecting a flexible hose to a showerhead to ensure a proper seal between the showerhead and sink assembly. It is further obvious to encase the flexible conduits (Bovaird et al. in view of Burchard et al.) for filtered and unfiltered (treated/untreated water) with a flexible casing around them as taught by Reichenberger so as to further enforce the flexible conduits from rupturing in a fail-safe manner to ensure proper protection and sealing engagement with the sink assembly.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Knapp (US 6,145,757), Bosio (US 6,808,131), Vidal (US 5,865,209).

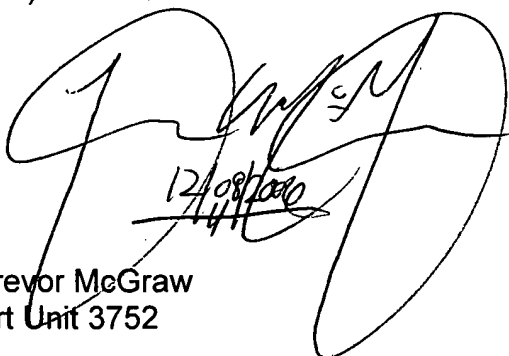
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trevor McGraw whose telephone number is

Art Unit: 3752

(571) 272-7375. The examiner can normally be reached on Monday-Friday (2nd & 4th Friday Off).

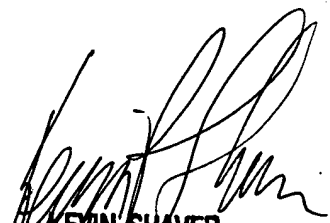
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Trevor McGraw
Art Unit 3752

TEM



KEVIN SHAVER
SUPERVISORY PATENT EXAMINER
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